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8                   UNITED STATES DISTRICT COURT  
9                   WESTERN DISTRICT OF WASHINGTON  
10                  AT TACOMA

11                  ARIEL BEN-SHIMOL,

12                  Plaintiff,

13                  v.

14                  T-MOBILE USA INC.,

15  
16                  Defendant.

17                  CASE NO. 2:21-cv-01314-RSM-JRC

18                  SCHEDULING ORDER

19  
20                  The Court has reviewed the parties' Joint Status Report (Dkt. 13) and schedules this case  
21                  for a twelve-day jury trial beginning **October 31, 2022, at 9:00 a.m. before the Honorable**  
22                  **Ricardo S. Martinez, Courtroom 13206** with the following pretrial schedule:

Event	Date
Deadline for joining additional parties	<b>November 24, 2021</b>
Deadline for amending pleadings	<b>November 24, 2021</b>
Plaintiff's expert disclosures under Fed. R. Civ. P. 26(a)(2)	<b>April 28, 2022</b>
Defendant's expert disclosures under Fed. R. Civ. P. 26(a)(2)	<b>April 28, 2022</b>

1	Rebuttal expert disclosures	<b>May 26, 2022</b>
2	<i>Daubert</i> motion deadline	<b>June 16, 2022</b>
3	All motions related to discovery must be noted on the motion calendar no later than the Friday before discovery closes pursuant to LCR 7(d) and LCR 37(a)(2)	<b>June 16, 2022</b>
4		
5	Discovery motions must be filed by	
6	Discovery completed by	<b>July 1, 2022</b>
7		
8	All dispositive motions must be filed by (see LCR 7(d))	<b>July 15, 2022</b>
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10	All motions in limine must be filed by this date and noted on the motion calendar no later than the second Friday after filing.	<b>October 3, 2022</b>
11	Motions in limine raised in trial briefs will not be considered.	
12	Agreed LCR 16.1 Pretrial Order due	<b>October 19, 2022</b>
13	Pretrial conference	<b>To be set</b>
14	Trial briefs, proposed voir dire, jury instructions and exhibits by	<b>October 28, 2022</b>

This order sets firm dates that can be changed only by order of the Court, not by agreement of counsel for the parties. The Court will alter these dates only upon good cause shown. Failure to complete discovery within the time allowed is not recognized as good cause. If any of the dates identified in this Order or the Local Civil Rules fall on a weekend or federal holiday, the act or event shall be performed on the next business day.

If the trial dates assigned to this matter creates an irreconcilable conflict, counsel must notify Deputy Clerk Kelly Miller at [Kelly\\_miller@wawd.uscourts.gov](mailto:Kelly_miller@wawd.uscourts.gov), within 10 days of the date of this Order and must set forth the exact nature of the conflict. A failure to do so will be deemed a waiver. Counsel must be prepared to begin trial on the date scheduled, but it should be understood that the trial may have to await the completion of other cases.

1                   **ALTERATIONS TO ELECTRONIC FILING PROCEDURES**

2                   As of June 1, 2004, counsel shall be required to electronically file all documents with the  
3 court. Pro se litigants may file either electronically or in paper form. Information and  
4 procedures or electronic filing can be found on the Western District of Washington's website at  
5 <https://www.wawd.uscourts.gov>.

6                   The following alterations to the Electronic Filing Procedures apply in all cases pending  
7 before Judge Martinez:

- 8                   • Section III, Paragraph F: When the aggregate submittal to the Court (i.e., the motion, any  
9                   declarations and exhibits, the proposed order, and the certification of service) exceeds 50  
10                  pages in length, a paper copy of the document (3-hole punched, with dividers, banded or  
11                  clipped as needed. No binders.) must be delivered to the Clerk's Office by 10:30 a.m. the  
12                  day after filing. The chambers copy must be clearly marked with the words "Courtesy  
13                  Copy of Electronic Filing for Chambers." Counsel and *pro se* parties should familiarize  
14                  themselves with temporary directions regarding Courtesy Copies during the COVID-19  
15                  outbreak. *See* <https://www.wawd.uscourts.gov/judges/martinez-chambers>.
- 16                   • Section III, Paragraph L: Unless the proposed order is stipulated, agreed, or otherwise  
17                  uncontested, the parties need not email a copy of the order to the district judge's orders  
18                  email address.

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20                   **Discovery and Settlement**

21                   As required by LCR 37(a), all discovery matters are to be resolved by agreement if  
22                  possible. Counsel shall also cooperate in preparing the agreed pretrial order in the format  
23                  required by LCR 16.1.

Should this case settle before Judge Martinez has ruled on dispositive motions, counsel shall notify Judge Creatura's courtroom deputy at [Kelly\\_Miller@wawd.uscourts.gov](mailto:Kelly_Miller@wawd.uscourts.gov). Should this case settle after Judge Martinez has ruled on dispositive motions, counsel shall immediately notify Judge Martinez's courtroom deputy at (206) 370-8521. Pursuant to LCR 11(b), an attorney who fails to give the Deputy Clerk prompt notice of settlement may be subject to such discipline as the Court deems appropriate.

Dated this 16th day of November, 2021.

J. K. Ward (matua)

J. Richard Creature  
Chief United States Magistrate Judge